

**IN THE UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF MISSOURI  
WESTERN DIVISION**

UNITED STATES OF AMERICA,	)	
	)	
Movant,	)	
	)	
v.	)	Case No. 12-3033-01-CR-S-SRB
	)	
STEVEN BRAYFIELD,	)	
	)	
Respondent.	)	

**MOTION TO REDUCE SENTENCE PURSUANT TO 18 U.S.C. § 3582(c)(1)(A)**

Comes now Steven Brayfield, through counsel, Laine Cardarella, Federal Public Defender, and respectfully moves pursuant to 18 U.S.C. § 3582 for this Court to reduce his sentence based upon extraordinary and compelling reasons.

Steven Brayfield was sentenced on December 13, 2013 to 188 months in custody for a methamphetamine offense. Mr. Brayfield has remained in custody. His expected release date is August 29, 2023.

Mr. Brayfield is considered at high risk to become critically or fatally ill if he contracts COVID-19. Mr. Brayfield has been diagnosed with Type 2 diabetes. He has diabetic foot ulcers. He has heart disease including cardiac arrhythmia, and had a pacemaker installed earlier this year. He has kidney disease with acute renal insufficiency in March 2020; he was hospitalized with an acute kidney injury in February 2020. Mr. Brayfield is severely obese, with a body mass index greater than 40. He has high blood pressure and high cholesterol.

These conditions place Mr. Brayfield at greater risk of death if he contracts COVID-19. Based on a variety of issues, including Mr. Brayfield's diagnoses, the United States does not oppose Mr. Brayfield's request for his sentence to be reduced, as the United States concedes his medical condition presents extraordinary and compelling circumstances which would allow for the exercise of this Court's authority to reduce his sentence pursuant to 18 U.S.C. § 3582.

On July 20, 2020 Mr. Brayfield asked the Warden of USP Leavenworth to file a motion with the court seeking reduction of his sentence. Mr. Brayfield's request was denied on August 14, 2020. Under the current circumstances, the United States agrees that Mr. Brayfield has exhausted his administrative remedies, therefore allowing this Court to proceed to a ruling upon the merits of his motion.

A review of the sentencing factors at 18 U.S.C. § 3553(a) weigh in favor of a reduction in Mr. Brayfield's sentence, including the nature and circumstances of the offense and the history and characteristics of Mr. Brayfield, the need for the sentence to reflect the seriousness of the offense, to promote respect for the law, to provide just punishment, to protect the public, and to provide adequate deterrence. The United States agrees that a review of 18 U.S.C. § 3553(a) does not indicate any factors mitigating against a reduction of Mr. Brayfield's sentence, nor that he presents a present risk of danger to the community.

In light of the extraordinary and compelling reasons presented, and after a review of the sentencing factors at 18 U.S.C. § 3553(a), and the stated position of the United States on these matters, Mr. Brayfield respectfully requests the Court enter its Order

reducing his custodial sentence 20 months on each count, concurrent to each other.

Based on the above, Mr. Brayfield and the United States request that the Court make the requisite findings that extraordinary and compelling reasons exist, that Mr. Brayfield has exhausted his administrative remedies, and that an analysis of the 18 U.S.C. § 3553 factors support a reduction in his sentence as Mr. Brayfield does not present a current danger to the community.

Respectfully submitted,

/s/ Laine Cardarella  
Laine Cardarella  
Federal Public Defender  
1000 Walnut, Suite 600  
Kansas City, Missouri 64106  
Attorney for Defendant

#### **CERTIFICATE OF SERVICE**

It is CERTIFIED that the foregoing was electronically filed on this 28<sup>th</sup> day of December, 2020, and that a copy was e-mailed to all parties pursuant to the ECF system.

/s/ Laine Cardarella  
Laine Cardarella